

II. REMARKS

A. Introduction

In this Office Action claims 1-18 are noted as pending, claims 5-11 and 14-17 are noted as withdrawn, and claims 1-4, 12, 13 and 18 are rejected.

In summary of this Response, the written description is amended to improve clarity, claims 1, 2, 4, 12, 13 and 18 are amended, new claims 19-25 are added to provide an alternate scope of protection for the invention, and remarks are provided.

In regard to the amendments to independent claim 1, the recitation "said fold-in part has a steam venting port provided only in the inner sheet part," is supported, e.g., at lines 17-18 of page 10 of the specification and Figs. 1, 3 and 4. On the other hand, the recitation "to cover the steam venting port provided only in the inner sheet part by overlapping the steam venting port provided only in the inner sheet part" is supported at, e.g., lines 2-3 of page 11 of the specification and Fig. 3.

B. Rejection of Claims 1-4, 12, 13 and 18 Under 35 U.S.C. § 112, Second Paragraph

These claims are rejected as being indefinite. The claims have been amended to improve their clarity and are believed to fully comply with 35 U.S.C. § 112.

New claims 19-25 discussed below, have been written to avoid this rejection.

C. Rejection of Claims 1-4, 12 and 18 Under 35 U.S.C. § 103

These claims are rejected as being made obvious by a combination of U.S. Patent Application Publication Nos. 2003/0123758 (Mita et al.) and 2004/0045842 (Matsuda et al.).

For the following reasons, it is respectfully submitted that the present invention, as recited by amended claims 1-4, 12 and 18, were not rendered obvious by the cited art.

Mita et al. discloses a fold-in part having a steam venting port provided only in the outer sheet part thereof, i.e., the sheet of the fold-in part including the steam venting port faces outwardly. See, e.g., ports 6, 26, 46, 85 and 105S in corresponding outer sheets 4, 24, 44, 84, and 104 in Figs. 1A, 2A, 9A/13A, 19A, 25A/26A and 33C, respectively. Such a structure presents the problem and/or a disadvantage that the steam with contents is discharged from the steam venting port on the outer sheet side of the fold-in part. The contents scatter and contaminate at least the upper area of the microwave oven. See, e.g., the Background of the present invention, page 2, lines 25 -29 for a discussion of this prior art drawback.

On the contrary, the currently amended claim 1 recites said fold-in part has a “steam venting port provided only in the inner sheet part”, which inner sheet part is defined as facing the bottom seal part. Accordingly, since the steam with contents is discharged only from the steam venting port of the inner sheet side of the fold-in part, the contents do not scatter and contaminate the inside of the microwave oven. Thus, the currently amended claim 1 provides a completely different solution to the problem that is characteristic of Mita et al.

Matsuda et al. also does not teach a port formed only in the inside sheet (see, e.g., the various embodiments using the seal part 4 in the Figures of Matsuda et al.), and is not and could not be cited for same. Accordingly, Matsuda et al. is not capable of compensating for the incomplete teaching of Mita et al. discussed above.

As admitted by the Office Action, Mita et al. also fails to disclose, or teach the use of an easily peelable tape, including an easily peelable side having an easily peelable property on one side thereof and a high strength adhesive side on an opposite side of the easily peelable side throughout a width direction of the bag parallel to the fold-in part within the fold-in part thereby to cover the steam venting port. Further, as now recited in claim 1, the port that is closed by this tape is provided only in the inner sheet part by overlapping the steam venting port provided only in the inner sheet part. This combination of features also is not taught by Mita et al./Matsuda et al.

Moreover, both Mita et al. and Matsuda et al. fail to disclose or teach the recited combination that the fold-in part has a steam venting port provided only in the inner sheet part, the seal part is formed by placing an easily peelable tape, including an easily peelable side having an easily peelable property on one side thereof and a high strength adhesive side having a high strength adhesive property on an opposite side of the easily peelable side, throughout a width direction of the bag parallel to the fold-in part within the fold-in part thereby to cover the steam venting port provided only in the inner sheet part by overlapping the steam venting port provided only in the inner sheet part and heat-seal the easily peelable side of the easily peelable tape to an inner sheet side of the fold-in part, wherein the easily peelable seal part is capable of a delamination due to thermally welding and binding the easily peelable side of the easily peelable tape and a sealant layer of the inner sheet part in the seal part over said steam venting port provided only in the inner sheet part.

Since the currently amended claim 1 is not rendered obvious by Mita et al. and/or Matsuda et al., claims 2-4, 12, 13 and 18, depending from claim 1, and reciting additional non-obvious features, should also be patentable for the same reasons.

New claims 19-25, which find support in at least claims 1-4, 12, 13 and 18, also recite the steam venting port in the inner sheet part and the use of the tape thereat. Again, it is respectfully submitted that these claims also distinguish over the cited art for many of the reasons noted above.

D. Rejection of Claim 13 Under 35 U.S.C. § 103

This claim is rejected as being made obvious by the combination noted above, and further in view of Japanese Reference No. 10-101154.

For the following reasons, it is respectfully submitted that the present invention, as recited by claim 13, was not rendered obvious by the cited art.

Japanese Reference JP10-101154 fails to disclose the recited tape and so cannot disclose or teach "a hole is provided in said edge part of said easily peelable tape", as recited in claim 13. Accordingly, claim 13 is also non-obvious over the combination of Mita, Matsuda and JP10-101154.

C. CONCLUSION

In light of the above amendments and remarks, it is respectfully submitted that the claims are now in condition for allowance.

If there are any additional fees associated with this Response, please charge the same to our Deposit Account No. 19-3935.

Finally, if there are any formal matters remaining after this Response, the undersigned would appreciate a telephone conference with the Examiner to attend to these matters.

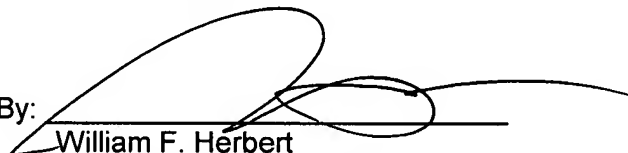
Respectfully submitted,

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